

**ENTERED**

June 16, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

Zachary Owen Henry,

*Petitioner,*

v.

Bobby Lumpkin, Director,  
Texas Department of Criminal  
Justice, Correctional  
Institutions Division,

*Respondent.*

§ Civil Action No.

§ 4:22-cv-01121

**ORDER ADOPTING RECOMMENDATION OF THE MAGISTRATE JUDGE**

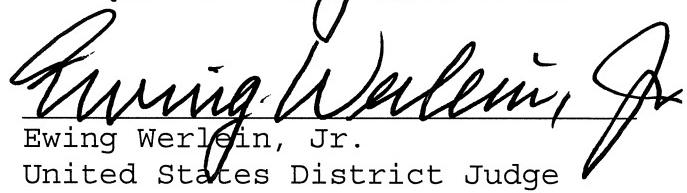
Pending are Petitioner Zachary Owen Henry's petition for a writ of habeas corpus (Document No. 1) and Respondent Bobby Lumpkin's motion to dismiss (Document No. 13). The Court has received from the Magistrate Judge a Memorandum and Recommendation (Document No. 17) recommending that that Respondent's motion be GRANTED, and Petitioner's petition be DENIED. Petitioner has not filed objections to the Magistrate Judge's recommendation.

The Court, after having made a *de novo* determination of the petition and the motion to dismiss, is of the opinion that the findings and recommendations of the Magistrate Judge are correct and should be and hereby are accepted by the Court in their entirety. Accordingly,

It is ORDERED and ADJUDGED for the reasons set forth in the Memorandum and Recommendation of the United States Magistrate Judge signed and filed on May 24, 2023 (Document No. 17), which is adopted in its entirety as the opinion of this Court, that Respondent's motion to dismiss (Document No. 13) is GRANTED and Respondent's petition for a writ of habeas corpus (Document No. 1) is DENIED.

The Clerk will enter this Order and send copies to all parties of record.

Signed at Houston, Texas this 16<sup>TH</sup> day of June, 2023.

  
Ewing Werlein, Jr.  
United States District Judge